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Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Report of the Sixth Committee

Rapporteur: Mr. Mahmoud Mohmed **Al-Naman** (Saudi Arabia)

I. Introduction

1. The item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" was included in the provisional agenda of the fifty-sixth session of the General Assembly pursuant to Assembly resolution 55/156 of 12 December 2000.

2. At its 3rd plenary meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 6th to 8th, 10th, 23rd and 24th meetings, from 10 to 12 and on 26 October and on 8 and 9 November 2001. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/56/SR.6-8, 10, 23 and 24).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[1]

(b) Report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council* (A/56/330);

[1] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 33* (A/56/33).

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(c) Report of the Secretary-General on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions (A/56/303).

II. Consideration of proposals

A. Draft resolution A/C.6/56/L.14

5. At the 23rd meeting, on 8 November, the representative of Egypt introduced a draft resolution entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" (A/C.6/56/L.14).

6. At the 24th meeting, on 9 November, the representative of the United Kingdom of Great Britain and Northern Ireland orally proposed an amendment to the draft resolution by which the words "with a view to completing its consideration of these proposals" would be inserted at the end of operative paragraph 3 (c).

7. At the same meeting, the representative of Portugal orally proposed that the amendment of the United Kingdom be further amended to read: "with a view to completing, if possible, its consideration of these proposals".

8. Also at the same meeting, before the adoption of the draft resolution, the representative of the Libyan Arab Jamahiriya made a statement in explanation of position concerning operative paragraph 3 (b) (see A/C.6/56/SR.24).

9. Also at its 24th meeting, the Committee adopted draft resolution A/C.6/56/L.14, as orally amended, without a vote (see para. 13, draft resolution I).

B. Draft resolution A/C.6/56/L.6 and Rev.1

10. At the 10th meeting, on 26 October, the representative of Ukraine, on behalf of Bulgaria, the Russian Federation and Ukraine, subsequently joined by Bangladesh, Brazil, Chile, China, Colombia, Egypt, India, Sierra Leone, Slovakia, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey and Uganda, introduced a draft resolution entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions" (A/C.6/56/L.6), which read:

> "*The General Assembly*,
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> "*Concerned* about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,
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> "*Recalling* the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

"*Recognizing* the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

"*Recalling*:

"(a) The report of the Secretary-General entitled 'An Agenda for Peace', in particular paragraph 41 thereof,

"(b) Its resolution 47/120 A of 18 December 1992, entitled 'An Agenda for Peace: preventive diplomacy and related matters', its resolution 47/120 B of 20 September 1993, entitled 'An Agenda for Peace', in particular section IV thereof, entitled 'Special economic problems arising from the implementation of preventive or enforcement measures', and its resolution 51/242 of 15 September 1997, entitled 'Supplement to an Agenda for Peace', in particular annex II thereto, entitled 'Question of sanctions imposed by the United Nations',

"(c) The position paper of the Secretary-General entitled 'Supplement to an Agenda for Peace',

"(d) The statement by the President of the Security Council of 22 February 1995,

"(e) The report of the Secretary-General prepared pursuant to the statement by the President of the Security Council regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter,

"(f) The annual overview reports of the Administrative Committee on Coordination for the period from 1992 to 2000, in particular the sections therein on assistance to countries invoking Article 50 of the Charter of the United Nations,

"(g) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia and General Assembly resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995, 51/30 A of 5 December 1996, 52/169 H of 16 December 1997, 54/96 G of 15 December 1999 and 55/170 of 14 December 2000,

"(h) The reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of its sessions held in the years 1994 to 2001,

"(i) The reports of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter,

"(j) The report of the Secretary-General to the Millennium Assembly of the United Nations, in particular section IV.E thereof, entitled 'Targeting sanctions',

"(k) The United Nations Millennium Declaration, in particular paragraph 9 thereof,

"(l) The report of the Secretary-General entitled 'Road map towards implementation of the United Nations Millennium Declaration', in particular paragraphs 56 to 61 thereof,

"*Taking note* of the most recent report of the Secretary-General, submitted in accordance with General Assembly resolution 55/157 of 12 December 2000,

"*Taking note also* of the report of the Office of Internal Oversight Services on the in-depth evaluation of the United Nations programmes relating to global development trends, issues and policies, and global approaches to social and microeconomic issues and policies, and the corresponding subprogrammes in the regional commissions, in particular recommendation 3 contained therein, as approved by the Committee for Programme and Coordination at its fortieth session,

"*Recalling* that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly, the Security Council, the Economic and Social Council and their subsidiary organs,

"*Recalling also* the measures taken by the Security Council, in accordance with the statement by the President of the Security Council of 16 December 1994, that, as part of the effort of the Council to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

"*Recalling further* the measures taken by the Security Council in accordance with the note by the President of the Security Council of 29 January 1999 aimed at improving the work of the sanctions committees, including increasing the effectiveness and transparency of those committees,

"*Stressing* that, in the formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

"*Stressing also*, in this context, the powers of the Security Council under Chapter VII of the Charter and the primary responsibility of the Council under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

"*Recalling* that, under Article 31 of the Charter, any Member of the United Nations that is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that Member are specially affected,

"*Recognizing* that the imposition of sanctions under Chapter VII of the Charter has been causing special economic problems in third States and that it is necessary to intensify efforts to address those problems effectively,

"*Taking into consideration* the views of third States which could be affected by the imposition of sanctions,

"*Recognizing* that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

"*Recognizing also* that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the Charter, in view of their magnitude and of the adverse impact on the economies of those States,

"*Recalling* the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999 and 55/157 of 12 December 2000,

"1. *Renews its invitation* to the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for consultations as early as possible under Article 50 of the Charter of the United Nations with third States which are or may be confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Council under Chapter VII of the Charter, with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its methods and procedures applied in the consideration of requests by the affected States for assistance;

"2. *Welcomes* the measures taken by the Security Council since the adoption of General Assembly resolution 50/51, most recently the note by the President of the Security Council of 17 April 2000, whereby the members of the Security Council decided to establish an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions, looks forward to the speedy adoption of the draft outcome of the working group, in particular those provisions thereof regarding the issues of unintended impacts of sanctions and assistance to States in implementing sanctions, and strongly recommends that the Council continue its efforts to further enhance the effectiveness and transparency of the sanctions committees, to streamline their working procedures and to facilitate access to them by representatives of States that find themselves confronted with special economic problems arising from the carrying out of sanctions;

"3. *Invites* the Security Council and its sanctions committees to ensure that:

"(a) Both pre-assessment reports and ongoing assessment reports include as part of their analysis the likely and actual unintended impact of the sanctions on third States and recommend ways in which negative impacts can be mitigated,

"(b) Sanctions committees provide opportunities for third States affected by sanctions to brief them on unintended impacts they are experiencing and assistance needed by them to mitigate negative impacts,

"(c) The Secretariat continues to provide, upon request, advice and information to third States to help them to pursue means to mitigate the unintended impact of sanctions, e.g. on invoking Article 50 of the Charter for consultation with the Security Council,

"(d) Where economic sanctions have had severe effects on third States, the Security Council requests the Secretary-General to consider appointing a special representative or dispatching, as necessary, fact-finding missions on the ground to undertake necessary assessments and to identify, as appropriate, possible ways of assistance, and that, in the same context, the Security Council considers establishing working groups to consider such situations;

"4. *Requests* the Secretary-General to pursue the implementation of General Assembly resolutions 50/51, 51/208, 52/162, 53/107, 54/107 and 55/157 and to ensure that the competent units within the Secretariat develop the adequate capacity and appropriate modalities, technical procedures and guidelines to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions, to continue developing a possible methodology for assessing the adverse consequences actually incurred by third States and to explore innovative and practical measures of assistance to the affected third States;

"5. *Welcomes* the report of the Secretary-General containing a summary of the deliberations and main findings of the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States as a result of preventive or enforcement measures and on exploring innovative and practical measures of international assistance to the affected third States, and renews its invitation to States and relevant international organizations within and outside the United Nations system which have not yet done so to provide their views regarding the report of the ad hoc expert group meeting;

"6. *Requests* the Secretary-General to expedite the preparation of a report to the General Assembly containing his views on the deliberations and main findings, including the recommendations, of the ad hoc expert group on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, taking into account the views of States, the organizations of the United Nations system, international financial institutions and other international organizations, as well as the Chairman's proposed outcome of the informal working group of the Security Council on general issues relating to sanctions;

"7. *Reaffirms* the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts by the international community and the United Nations system on behalf of States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate, in identifying solutions to the special economic problems of those States;

"8. *Takes note* of the decision of the Economic and Social Council, in its resolution 2000/32 of 28 July 2000, to continue its consideration of the question of assistance to third States affected by the application of sanctions, invites the Council, at its organizational session for 2002, to make appropriate arrangements for this purpose within its programme of work for 2002, and decides to transmit the most recent report of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, together with the relevant background materials, to the Council at its substantive session of 2002;

"9. *Invites* the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to address more specifically and directly, where appropriate, special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through regular and frequent meetings as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

"10. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 2002, to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration all of the related reports of the Secretary-General, in particular the 1998 report containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162, together with the most recent report of the Secretary-General on this question, the forthcoming report of the informal working group of the Security Council on general issues relating to sanctions, the proposals submitted on the question, the debate on the question in the Sixth Committee during the fifty-sixth session of the Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to Assembly resolution 51/242, as well as the implementation of the provisions of Assembly resolutions 50/51, 51/208, 52/162, 53/107, 54/107, 55/157 and the present resolution;

"11. *Decides* to consider, within the Sixth Committee, or a working group of the Committee, at the fifty-seventh session of the General Assembly, further progress in the elaboration of effective measures aimed at the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

"12. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-seventh session, under the agenda item entitled 'Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization'."

11. At the 23rd meeting, on 8 November, the representative of Ukraine and coordinator of the informal consultations, on behalf of the sponsors of draft resolution A/C.6/56/L.6, introduced a revised draft resolution entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions" (A/C.6/56/L.6/Rev.1).

12. At its 24th meeting, on 9 November, the Committee adopted draft resolution A/C.6/56/L.6/Rev.1 without a vote (see para. 13, draft resolution II).

III. Recommendations of the Sixth Committee

13. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council,[2]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Recalling further that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

[2] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 47* (A/55/47).

Considering the desirability of finding practical ways and means to strengthen the Court, taking into consideration, in particular, the needs resulting from its increased workload,

Taking note of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[3]

Recalling its resolution 55/156 of 12 December 2000,

Having considered the report of the Special Committee on the work of its session held in 2001,[4]

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[4]

2. *Decides* that the Special Committee shall hold its next session from 18 to 28 March 2002;

3. *Requests* the Special Committee, at its session in 2002, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 2002;

(b) To continue to consider on a priority basis the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter by commencing a substantive debate on all of the related reports of the Secretary-General,[5] the proposals submitted on this subject, taking into consideration the debate on the question held by the Sixth Committee at the fifty-sixth session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to Assembly resolution 51/242, and also the implementation of the provisions of Assembly resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999 and 55/157 of 12 December 2000;

(c) To continue its work on the question of the peaceful settlement of disputes between States and, in this context, to continue its consideration of proposals relating thereto, including the proposal on the establishment of a dispute settlement service offering or responding with its services early in disputes and those proposals relating to the enhancement of the role of the International Court of Justice, with a view to completing, if possible, its consideration of these proposals;

(d) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General submitted in accordance with

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[3] A/56/330.

[4] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 33* (A/56/33).

[5] A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/361, A/50/423, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1 and A/56/303.

General Assembly resolution 50/55 of 11 December 1995,[6] the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform"[7] and the views expressed by States on this subject at previous sessions of the General Assembly;

(e) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency with a view to identifying widely acceptable measures for future implementation;

4. *Takes note* of paragraph 47 of the report of the Secretary-General,[3] commends the Secretary-General for his continued efforts to reduce the backlog in the publication of the *Repertory of Practice of United Nations Organs*, and endorses the efforts of the Secretary-General to eliminate the backlog in the publication of the *Repertoire of the Practice of the Security Council*;

5. *Invites* the Special Committee at its session in 2002 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations;

6. *Takes note* of the readiness of the Special Committee, in the context of its consideration of the subject of assistance to working groups on the revitalization of the work of the United Nations and coordination between the Special Committee and other working groups dealing with the reform of the Organization, to provide, within its mandate, such assistance as may be sought at the request of other subsidiary bodies of the General Assembly in relation to any issues before them;

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at its fifty-seventh session;

8. *Decides* to include in the provisional agenda of its fifty-seventh session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

Draft resolution II
Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions

The General Assembly,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

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[6] A/50/1011.

[7] A/51/950 and Add.1-7.

Recognizing the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

Recalling:

(a) The report of the Secretary-General entitled "An Agenda for Peace",[8] in particular paragraph 41 thereof,

(b) Its resolution 47/120 A of 18 December 1992, entitled "An Agenda for Peace: preventive diplomacy and related matters", its resolution 47/120 B of 20 September 1993, entitled "An Agenda for Peace", in particular section IV thereof, entitled "Special economic problems arising from the implementation of preventive or enforcement measures", and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", in particular annex II thereto, entitled "Question of sanctions imposed by the United Nations",

(c) The position paper of the Secretary-General entitled "Supplement to an Agenda for Peace",[9]

(d) The statement by the President of the Security Council of 22 February 1995;[10]

(e) The report of the Secretary-General[11] prepared pursuant to the statement by the President of the Security Council[12] regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter,

(f) The annual overview reports of the Administrative Committee on Coordination for the period from 1992 to 2000,[13] in particular the sections therein on assistance to countries invoking Article 50 of the Charter of the United Nations,

(g) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia[14] and General Assembly resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995, 51/30 A of 5 December 1996, 52/169 H of 16 December 1997, 54/96 G of 15 December 1999 and 55/170 of 14 December 2000,

(h) The reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of its sessions held in the years 1994 to 2001,[15]

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[8] A/47/277-S/24111.

[9] A/50/60-S/1995/1.

[10] S/PRST/1995/9; see *Resolutions and Decisions of the Security Council, 1995*.

[11] A/48/573-S/26705.

[12] S/25036; see *Resolutions and Decisions of the Security Council, 1992*.

[13] E/1993/81, E/1994/19, E/1995/21, E/1996/18 and Add.1, E/1997/54 and Corr.1, E/1998/21, E/1999/48, E/2000/53 and E/2001/55.

[14] A/49/356, A/50/423, A/51/356, A/52/535, A/54/534, A/55/620 and Corr.1 and A/56/361.

[15] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 33* (A/49/33); ibid., *Fiftieth Session, Supplement No. 33* (A/50/33); ibid., *Fifty-first Session, Supplement No. 33* (A/51/33); ibid., *Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr.1); ibid., *Fifty-third Session, Supplement No. 33* (A/53/33); ibid., *Fifty-fourth Session, Supplement No. 33* and corrigendum (A/54/33 and Corr.1); ibid., *Fifty-fifth Session, Supplement No. 33* (A/55/33); and ibid., *Fifty-sixth Session, Supplement No. 33* (A/56/33).

(i) The reports of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter,[16]

(j) The report of the Secretary-General to the Millennium Assembly of the United Nations,[17] in particular section IV.E thereof, entitled "Targeting sanctions",

(k) The United Nations Millennium Declaration,[18] in particular paragraph 9 thereof,

(l) The report of the Secretary-General entitled "Road map towards implementation of the United Nations Millennium Declaration",[19] in particular paragraphs 56 to 61 thereof,

Taking note of the most recent report of the Secretary-General, submitted in accordance with General Assembly resolution 55/157 of 12 December 2000,[20]

Taking note also of the report of the Office of Internal Oversight Services on the in-depth evaluation of United Nations programmes relating to global development trends, issues and policies and global approaches to social and microeconomic issues and policies, and the corresponding subprogrammes in the regional commissions,[21] in particular recommendation 3 contained therein, as approved by the Committee for Programme and Coordination at its fortieth session,[22]

Recalling that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly, the Security Council, the Economic and Social Council and their subsidiary organs,

Recalling also the measures taken by the Security Council, in accordance with the statement by the President of the Security Council of 16 December 1994,[23] that, as part of the effort of the Council to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

Recalling further the measures taken by the Security Council in accordance with the note by the President of the Security Council of 29 January 1999[24] aimed at improving the work of the sanctions committees, including increasing the effectiveness and transparency of those committees,

Stressing that, in the formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

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[16] A/50/361, A/51/317, A/52/308, A/53/312, A/54/383, A/55/295 and Add.1 and A/56/303.

[17] A/54/2000.

[18] See resolution 55/2.

[19] A/56/326.

[20] A/56/303.

[21] E/AC.51/2000/2.

[22] See *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 16* and corrigendum (A/55/16 and Corr.1), chap. II.C.1, para. 243.

[23] See PRST/1994/81; see *Resolutions and Decisions of the Security Council, 1994*.

[24] S/1999/92, see *Resolutions and Decisions of the Security Council, 1999*.

Stressing also, in this context, the powers of the Security Council under Chapter VII of the Charter and the primary responsibility of the Council under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

Recalling that, under Article 31 of the Charter, any Member of the United Nations that is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that Member are specially affected,

Recognizing that the imposition of sanctions under Chapter VII of the Charter has been causing special economic problems in third States and that it is necessary to intensify efforts to address those problems effectively,

Taking into consideration the views of third States which could be affected by the imposition of sanctions,

Recognizing that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

Recognizing also that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the Charter, in view of their magnitude and of the adverse impact on the economies of those States,

Recalling the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999 and 55/157 of 12 December 2000,

1. *Renews its invitation* to the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for consultations as early as possible under Article 50 of the Charter of the United Nations with third States which are or may be confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Council under Chapter VII of the Charter, with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its methods and procedures applied in the consideration of requests by the affected States for assistance;

2. *Welcomes* the measures taken by the Security Council since the adoption of General Assembly resolution 50/51, most recently the note by the President of the Security Council of 17 April 2000,[25] whereby the members of the Security Council decided to establish an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions, looks forward to the adoption of the Chairman's proposed outcome of the working group, in particular those provisions thereof regarding the issues of unintended impacts of sanctions and assistance to States in implementing sanctions, and strongly recommends that the Council continue its efforts to further enhance the

[25] S/2000/319; see *Resolutions and Decisions of the Security Council, 2000*.

effectiveness and transparency of the sanctions committees, to streamline their working procedures and to facilitate access to them by representatives of States that find themselves confronted with special economic problems arising from the carrying out of sanctions;

3. *Invites* the Security Council, its sanctions committees and the Secretariat to continue to ensure, as appropriate, that:

(a) Both pre-assessment reports and ongoing assessment reports include as part of their analysis the likely and actual unintended impact of the sanctions on third States and recommend ways in which negative impacts can be mitigated;

(b) Sanctions committees provide opportunities for third States affected by sanctions to brief them on unintended impacts they are experiencing and assistance needed by them to mitigate negative impacts;

(c) The Secretariat continues to provide, upon request, advice and information to third States to help them to pursue means to mitigate the unintended impact of sanctions, for example, on invoking Article 50 of the Charter for consultation with the Security Council;

(d) Where economic sanctions have had severe effects on third States, the Security Council is able to request the Secretary-General to consider appointing a special representative or dispatching, as necessary, fact-finding missions on the ground to undertake necessary assessments and to identify, as appropriate, possible means of assistance;

(e) The Security Council is able, in the context of situations referred to in subparagraph (d) above, to consider establishing working groups to consider such situations;

4. *Requests* the Secretary-General to pursue the implementation of General Assembly resolutions 50/51, 51/208, 52/162, 53/107, 54/107 and 55/157 and to ensure that the competent units within the Secretariat develop the adequate capacity and appropriate modalities, technical procedures and guidelines to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions, to continue developing a possible methodology for assessing the adverse consequences actually incurred by third States and to explore innovative and practical measures of assistance to the affected third States;

5. *Welcomes* the report of the Secretary-General containing a summary of the deliberations and main findings of the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States as a result of preventive or enforcement measures and on exploring innovative and practical measures of international assistance to the affected third States,[26] and renews its invitation to States and relevant international organizations within and outside the United Nations system which have not yet done so to provide their views regarding the report of the ad hoc expert group meeting;

6. *Requests* the Secretary-General to expedite the preparation of a report to the General Assembly containing his views on the deliberations and main findings, including the recommendations, of the ad hoc expert group on the implementation of

[26] A/53/312.

the provisions of the Charter related to assistance to third States affected by the application of sanctions, taking into account the views of States, the organizations of the United Nations system, international financial institutions and other international organizations, as well as the Chairman's proposed outcome of the informal working group of the Security Council on general issues relating to sanctions;

7. *Reaffirms* the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts of the international community and the United Nations system on behalf of States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate, in identifying solutions to the special economic problems of those States;

8. *Takes note* of the decision of the Economic and Social Council, in its resolution 2000/32 of 28 July 2000, to continue its consideration of the question of assistance to third States affected by the application of sanctions, invites the Council, at its organizational session for 2002, to make appropriate arrangements for this purpose within its programme of work for 2002, and decides to transmit the most recent report of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions,[20] together with the relevant background materials, to the Council at its substantive session of 2002;

9. *Invites* the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to address more specifically and directly, where appropriate, the special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through regular and frequent meetings as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

10. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 2002, to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter by commencing a substantive debate on all of the related reports of the Secretary-General, in particular the 1998 report containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162,[26] together with the most recent report of the Secretary-General on this question,[20] taking into consideration the forthcoming report of the informal working group of the Security Council on general issues relating to sanctions, the proposals submitted on the question, the debate on the question in the Sixth Committee during the fifty-sixth session of the Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to Assembly resolution 51/242, as well as the implementation of the provisions of Assembly resolutions 50/51, 51/208, 52/162, 53/107, 54/107, 55/157 and the present resolution;

11. *Decides* to consider, within the Sixth Committee or a working group of the Committee, at the fifty-seventh session of the General Assembly, further progress in the elaboration of effective measures aimed at the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

12. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-seventh session, under the agenda item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

United Nations A/56/593

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Agenda item 166

Measures to eliminate international terrorism

Report of the Sixth Committee

Rapporteur: Mr. Mahmoud Mohmed **Al-Naman** (Saudi Arabia)

I. Introduction

1. The item entitled "Measures to eliminate international terrorism" was included in the provisional agenda of the fifty-sixth session of the General Assembly pursuant to Assembly resolution 55/158 of 12 December 2000.

2. At its 3rd plenary meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda of its fifty-sixth session and to allocate it to the Sixth Committee. At the same meeting, the General Assembly decided that the initial debate on agenda item 166 would be held in plenary meeting on the understanding that the technical aspects of the item would be considered by the Sixth Committee.

3. The Sixth Committee considered the item at its 27th and 28th meetings, on 19 and 21 November 2001. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/56/SR.27 and 28).

4. For its consideration of the item, the Committee had before it the following documents:

Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996[1]

Report of the Secretary-General on measures to eliminate international terrorism (A/56/160 and Corr.1 and Add.1)

Letter dated 9 May 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/69-S/2001/459)

[1] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 37* (A/56/37).

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Letter dated 11 May 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/72-S/2001/473)

Letter dated 18 May 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/78-S/2001/506)

Letter dated 25 May 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/80-S/2001/524)

Letter dated 30 May 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/81-S/2001/540)

Letter dated 4 June 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/85-S/2001/555)

Letter dated 11 June 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/91-S/2001/580)

Letter dated 13 June 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/56/92-S/2001/585)

Letter dated 18 June 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/56/97-S/2001/604)

Letter dated 19 June 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/56/98-S/2001/611)

Letter dated 20 June 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Belarus to the United Nations addressed to the Secretary-General (A/56/118)

Letter dated 21 June 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/56/119-S/2001/619)

Letter dated 2 July 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/131-S/2001/656)

Letter dated 3 July 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/138-S/2001/662)

Letter dated 6 July 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/161-S/2001/673)

Letter dated 13 July 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/184-S/2001/696)

Letter dated 17 July 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/201-S/2001/706)

Letter dated 26 July 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/223-S/2001/737)

Letter dated 27 July 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/225-S/2001/743)

Note verbale dated 30 July 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General (A/56/226-S/2001/746)

Letter dated 6 August 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/272-S/2001/768)

Letter dated 7 August 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/275-S/2001/770)

Letter dated 8 August 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/280-S/2001/775)

Letter dated 9 August 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/283-S/2001/777)

Letter dated 9 August 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/286-S/2001/780)

Letter dated 13 August 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/294-S/2001/787)

Letter dated 27 August 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/324-S/2001/825)

Letter dated 30 August 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/56/325-S/2001/834)

Letter dated 4 September 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/56/331-S/2001/840)

Letter dated 7 September 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/56/346-S/2001/858)

Letter dated 12 September 2001 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General (A/56/350)

Letter dated 13 September 2001 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General (A/56/354-S/2001/866)

Letter dated 14 September 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General (A/56/363-S/2001/869)

Note verbale dated 14 September 2001 from the Permanent Mission of Kazakhstan to the United Nations addressed to the Secretary-General (A/56/364)

Letter dated 17 September 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/367-S/2001/875)

Letter dated 13 September 2001 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General (A/56/368-S/2001/877)

Letter dated 17 September 2001 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General (A/56/369)

Identical letters dated 17 September 2001 from the Chargé d'affaires a.i. of the United States Mission to the United Nations addressed to the President of the General Assembly and the President of the Security Council (A/56/377-S/2001/885)

Letter dated 19 September 2001 from the Permanent Representative of Venezuela to the United Nations addressed to the Secretary-General (A/56/383)

Letter dated 20 September 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/386-S/2001/892)

Letter dated 20 September 2001 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General (A/56/387-S/2001/893)

Letter dated 20 September 2001 from the Permanent Representative of Honduras to the United Nations addressed to the Secretary-General (A/56/392)

Letter dated 11 September 2001 from the Permanent Representative of Paraguay to the United Nations addressed to the Secretary-General (A/56/397)

Letter dated 24 September 2001 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General (A/56/401-S/2001/903)

Letter dated 25 September 2001 from the Permanent Representatives of Azerbaijan, Georgia, the Republic of Moldova, Ukraine and Uzbekistan to the United Nations addressed to the Secretary-General (A/56/405-S/2001/906)

Letter dated 24 September 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/406-S/2001/907)

Identical letters dated 25 September 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General and the President of the Security Council (A/56/407-S/2001/909)

Letter dated 25 September 2001 from the Permanent Representatives of Armenia and the Russian Federation to the United Nations addressed to the Secretary-General (A/56/408)

Letter dated 27 September 2001 from the Permanent Representative of China to the United Nations addressed to the Secretary-General (A/56/410-S/2001/914)

Letter dated 27 September 2001 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General (A/56/414-S/2001/917)

Letter dated 27 September 2001 from the Permanent Representatives of Japan and the Republic of Korea to the United Nations addressed to the Secretary-General (A/56/415)

Letter dated 1 October 2001 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General (A/56/423)

Letter dated 1 October 2001 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General (A/56/424)

Letter dated 2 October 2001 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the Secretary-General (A/56/429)

Letter dated 3 October 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/56/433)

Letter dated 3 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/438-S/2001/938)

Letter dated 1 October 2001 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General (A/56/439)

Letter dated 28 September 2001 from the Permanent Representative of Nepal to the United Nations addressed to the Secretary-General (A/56/441)

Letter dated 5 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/443-S/2001/942)

Letter dated 5 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/444-S/2001/943)

Letter dated 5 October 2001 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General (A/56/446-S/2001/944)

Letter dated 8 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/450-S/2001/948)

Letter dated 8 October 2001 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Secretary-General (A/56/452)

Letter dated 10 October 2001 from the Permanent Representative of Uruguay to the United Nations addressed to the Secretary-General (A/56/455)

Letter dated 11 October 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General (A/56/462-S/2001/962)

Letter dated 11 October 2001 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General (A/56/463-S/2001/964)

Letter dated 10 October 2001 from the Permanent Representative of Bulgaria to the United Nations addressed to the Secretary-General (A/56/466)

Letter dated 11 October 2001 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General (A/56/468)

Letter dated 17 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/483-S/2001/975)

Letter dated 19 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/492-S/2001/990)

Letter dated 18 October 2001 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General (A/56/496-S/2001/996)

Letter dated 24 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/506-S/2001/1011)

Letter dated 24 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/507-S/2001/1012)

Letter dated 24 October 2001 from the Permanent Representative of Senegal to the United Nations addressed to the Secretary-General (A/56/513-S/2001/1021)

Letter dated 29 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/514-S/2001/1023)

Letter dated 29 October 2001 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General (A/56/519-S/2001/1033)

Letter dated 26 October 2001 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General (A/56/520-S/2001/1037)

Letter dated 29 October 2001 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General (A/56/521-S/2001/1038)

Letter dated 5 November 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General (A/56/601-S/2001/1045)

Letter dated 5 November 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/604-S/2001/1048)

Letter dated 6 November 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General (A/56/605-S/2001/1050)

Letter dated 12 November 2001 from the Permanent Representatives of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General (A/56/613-S/2001/1066)

Letter dated 12 November 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/56/617-S/2001/1071)

Letter dated 13 November 2001 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/56/623)

Letter dated 15 November 2001 from the Permanent Representatives of India and the Russian Federation to the United Nations addressed to the Secretary-General (A/56/631)

Letter dated 16 November 2001 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/56/634-S/2001/1087)

Letter dated 16 November 2001 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/56/635-S/2001/1088)

Letter dated 16 November 2001 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/56/636-S/2001/1090)

Letter dated 16 November 2001 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/56/637-S/2001/1091)

Letter dated 19 November 2001 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General (A/56/641-S/2001/1099)

Report of the Working Group on measures to eliminate international terrorism (A/C.6/56/L.9)

5. Pursuant to paragraph 13 of General Assembly resolution 55/158, the Committee, at its 2nd meeting, on 8 October, established a working group to continue to elaborate a comprehensive convention on international terrorism, to resolve the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism as a means of further developing a comprehensive legal framework of conventions dealing with international terrorism, and to keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response by the international community to terrorism in all its forms and manifestations. At the same meeting, the Committee re-elected Rohan Perera (Sri Lanka) as the Chairman of the Working Group, which held five meetings, from 15 to 26 October 2001.

6. At the 27th meeting, on 19 November, the Chairman of the Working Group introduced the report of the Working Group, contained in document A/C.6/56/L.9 (see A/C.6/56/SR.27).

II. Consideration of draft resolution A/C.6/56/L.22 and Corr.1

7. At the 28th meeting, on 21 November, the representative of Canada introduced a draft resolution entitled "Measures to eliminate international terrorism" (A/C.6/56/L.22 and Corr.1) and orally revised it by deleting, from the end of operative paragraph 11, the words "and, in view of the important role of the United Nations in this respect, to consider strengthening these institutions".

8. At the same meeting, the Committee adopted draft resolution A/C.6/56/L.22 and Corr.1, as orally revised, without a vote (see para. 11).

9. Before the adoption of the draft resolution, statements in explanation of position were made by the representatives of the Syrian Arab Republic, Lebanon and Cuba; after the adoption of the draft resolution, statements in explanation of position were made by the representatives of Pakistan, Israel, the Islamic Republic of Iran and Canada (see A/C.6/56/SR.28).

10. Statements were also made by the representatives of the Syrian Arab Republic and Lebanon (see A/C.6/56/SR.28).

III. Recommendation of the Sixth Committee

11. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[2]

Recalling also the United Nations Millennium Declaration,[3]

Recalling all General Assembly and Security Council resolutions on measures to eliminate international terrorism,

Convinced of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Reaffirming its strong condemnation of the heinous acts of terrorism, which have caused enormous loss of human life, destruction and damage in the cities of New York, host city of the United Nations, and Washington, D.C., and in Pennsylvania, which prompted the adoption of General Assembly resolution 56/1 of 12 September 2001, as well as Security Council resolutions 1368 (2001) of 12

[2] See resolution 50/6.

[3] See resolution 55/2.

September 2001, 1373 (2001) of 28 September 2001 and 1377 (2001) of 12 November 2001,

Recalling its debate on the item entitled "Measures to eliminate international terrorism", held in plenary meeting from 1 to 5 October 2001,

Stressing the need to strengthen further international cooperation among States and among international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and relevant international conventions,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Recalling the Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 49/60 of 9 December 1994, wherein the General Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there was a comprehensive legal framework covering all aspects of the matter,

Taking note of the final document of the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held at Cartagena, Colombia, on 8 and 9 April 2000,[4] which reiterated the collective position of the Movement of Non-Aligned Countries on terrorism and reaffirmed the previous initiative of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held at Durban, South Africa, from 29 August to 3 September 1998, calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,[5] and other relevant initiatives,

Recalling its decision in resolutions 54/110 of 9 December 1999 and 55/158 of 12 December 2000 that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 should address, and keep on its agenda, the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Noting regional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of and adherence to regional conventions,

Having examined the report of the Secretary-General,[6] the report of the Ad Hoc Committee[7] and the report of the Working Group of the Sixth Committee established pursuant to resolution 55/158,[8]

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[4] A/54/917-S/2000/580, annex.

[5] See A/53/667-S/1998/1071, annex I, paras. 149-162.

[6] A/56/160 and Corr.1 and Add.1.

[7] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 37* (A/56/37).

[8] A/C.6/56/L.9.

1. *Strongly condemns* all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

3. *Reiterates its call* upon all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (a) to (f) of resolution 51/210;

4. *Also reiterates its call* upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. *Reiterates its call* upon States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

6. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

7. *Urges* all States that have not yet done so to consider, as a matter of priority, and in accordance with Security Council resolution 1373 (2001), becoming parties to relevant conventions and protocols as referred to in paragraph 6 of General Assembly resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings[9] and the International Convention for the Suppression of the Financing of Terrorism,[10] and calls upon all States to enact, as appropriate, domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts, and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

8. *Also urges* States to cooperate with the Secretary-General and with one another, as well as with interested intergovernmental organizations, with a view to ensuring, where appropriate within existing mandates, that technical and other expert advice is provided to those States requiring and requesting assistance in becoming parties to the conventions and protocols referred to in paragraph 7 above;

9. *Notes with appreciation and satisfaction* that, consistent with the call contained in paragraph 7 of General Assembly resolution 55/158, a number of States became parties to the relevant conventions and protocols referred to therein, thereby realizing the objective of wider acceptance and implementation of those conventions;

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[9] Resolution 52/164, annex.

[10] Resolution 54/109, annex.

10. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 49/60, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 51/210, and calls upon all States to implement them;

11. *Urges* all States and the Secretary-General, in their efforts to prevent international terrorism, to make best use of the existing institutions of the United Nations;

12. *Welcomes* the efforts of the Terrorism Prevention Branch of the Centre for International Crime Prevention at Vienna, after reviewing existing possibilities within the United Nations system, to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism;

13. *Invites* States that have not yet done so to submit to the Secretary-General information on their national laws and regulations regarding the prevention and suppression of acts of international terrorism;

14. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international terrorism;

15. *Welcomes* the important progress attained in the elaboration of the draft comprehensive convention on international terrorism during the meetings of the Ad Hoc Committee and the Working Group of the Sixth Committee established pursuant to General Assembly resolution 55/158;

16. *Decides* that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 shall continue to elaborate a comprehensive convention on international terrorism as a matter of urgency, and shall continue its efforts to resolve the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism as a means of further developing a comprehensive legal framework of conventions dealing with international terrorism, and that it shall keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations;

17. *Also decides* that the Ad Hoc Committee shall meet from 28 January to 1 February 2002 to continue the elaboration of a draft comprehensive convention on international terrorism, with appropriate time allocated to the continued consideration of outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism, that it shall keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, and that the work shall continue, if necessary, during the fifty-seventh session of the General Assembly, within the framework of a working group of the Sixth Committee;

18. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

19. *Requests* the Ad Hoc Committee to report to the General Assembly at its fifty-sixth session in the event of the completion of the draft comprehensive

convention on international terrorism or the draft international convention for the suppression of acts of nuclear terrorism;

20. *Also requests* the Ad Hoc Committee to report to the General Assembly at its fifty-seventh session on progress made in the implementation of its mandate;

21. *Decides* to include in the provisional agenda of its fifty-seventh session the item entitled "Measures to eliminate international terrorism".

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Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel

Report of the Sixth Committee

Rapporteur: Mr. Mahmoud M. **Al-Naman** (Saudi Arabia)

I. Introduction

1. The item entitled "Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel" was included in the provisional agenda of the fifty-sixth session of the General Assembly pursuant to Assembly resolution 55/175 of 19 December 2000.

2. At its 3rd plenary meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 4th to 6th and 27th meetings, on 9 and 10 October and 19 November 2001. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/56/SR.4-6 and 27).

4. For its consideration of the item, the Committee had before it the report of the Secretary-General on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel (A/55/637).

II. Consideration of draft resolution A/C.6/56/L.18

5. At the 27th meeting, on 19 November, the representative of New Zealand, on behalf of Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Canada, Chile, Croatia, Denmark, Ecuador, Fiji, Finland, Germany, Hungary, Ireland, Italy, Japan, Liechtenstein, Malta, Monaco, the Netherlands, New Zealand, Nigeria, Norway, Portugal, the Republic of Korea, Sierra Leone, Spain, Sweden, Ukraine and the United States of America, subsequently joined by France, Greece, Luxembourg,

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Poland and Romania, introduced a draft resolution entitled "Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel" (A/C.6/56/L.18).

6. At the same meeting, the Secretary of the Committee made a statement regarding the financial implications of the draft resolution.

7. Also at the same meeting, the Committee adopted draft resolution A/C.6/56/L.18 without a vote (see para. 8).

III. Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel

The General Assembly,

Recalling its resolution 55/175 of 19 December 2000 on the safety and security of humanitarian personnel and protection of United Nations personnel,

Recalling also its resolution 49/59 of 9 December 1994, by which it adopted the Convention on the Safety of United Nations and Associated Personnel,

Recalling further the letter dated 24 October 2000 addressed to the President of the Security Council on behalf of the global staff of the United Nations system,[1] drawing attention to the safety and security problems faced by United Nations and associated personnel,

Reaffirming the need to promote and ensure respect for the principles and rules of international law, including international humanitarian law, as well as the relevant provisions of human rights and refugee law,

Deeply concerned by the increasing dangers and security risks faced by United Nations and associated personnel at the field level, and mindful of the need to provide the fullest possible protection for their security,

Expressing concern that locally recruited personnel are particularly vulnerable to attacks,

Welcoming the recent increase in the number of States that have become parties to the Convention, which entered into force on 15 January 1999, and noting that the Convention has been ratified or acceded to by fifty-five States as at the date of the present resolution,

Mindful of the need to promote universality of the Convention,

[1] S/2000/1133, annex.

1. *Expresses its appreciation* to the Secretary-General for his report on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel,[2] and takes note of the recommendations contained therein;

2. *Calls upon* all States to consider becoming parties to and to respect fully their obligations under the relevant international instruments, in particular the Convention on the Safety of United Nations and Associated Personnel;

3. *Takes note* of the report of the Special Committee on Peacekeeping Operations with regard to the safety and security of United Nations and associated personnel and the scope of existing legal protection and its recommendations;[3]

4. *Recommends* that the Secretary-General continue to seek the inclusion of relevant provisions of the Convention in the status-of-forces or status-of-mission agreements concluded by the United Nations;

5. *Encourages* the Secretary-General and relevant bodies within the United Nations system to continue to take such other practical measures as are within their authority and existing institutional mandates to strengthen protection for United Nations and associated personnel;

6. *Recognizes* the need to consider the safety and security of locally recruited personnel, who are particularly vulnerable and account for the majority of casualties;

7. *Decides* to establish an Ad Hoc Committee open to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency to consider the recommendations made by the Secretary-General in his report[2] on measures to strengthen and enhance the protective legal regime for United Nations and associated personnel;

8. *Requests* the Secretary-General to invite the International Committee of the Red Cross to participate as an observer in the deliberations of the Ad Hoc Committee;

9. *Decides* that the Ad Hoc Committee will meet from 1 to 5 April 2002, and recommends that, following the submission of the report of the Ad Hoc Committee, the Sixth Committee consider whether to continue this work during the fifty-seventh session of the General Assembly from 7 to 11 October 2002 in the framework of a working group of the Sixth Committee;

10. *Requests* the Ad Hoc Committee to submit a report on its work to the General Assembly at its fifty-seventh session;

11. *Decides* to include in the provisional agenda of its fifty-seventh session the item entitled "Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel".

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[2] A/55/637.

[3] A/55/1024 and Corr.1, sect. III.F.

United Nations A/56/594/Corr.1

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Fifty-sixth session
Agenda item 167

Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel

Report of the Sixth Committee

Rapporteur: Mr. Mahmoud Mohmed **Al-Naman** (Saudi Arabia)

Corrigendum

The name of the Rapporteur should appear as above.

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United Nations A/56/595

General Assembly

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Fifty-sixth session
Agenda item 168

Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly

Report of the Sixth Committee

Rapporteur: Mr. Mahmoud M. **Al-Naman** (Saudi Arabia)

I. Introduction

1. The item entitled "Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly" was included in the provisional agenda of the fifty-sixth session of the General Assembly pursuant to Assembly decision 55/429 of 12 December 2000.

2. At its 3rd plenary meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 9th and 10th meetings, on 19 and 26 October 2001. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/56/SR.9 and 10).

4. For its consideration of the item, the Committee had before it a letter dated 14 August 2000 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General (A/55/226).

II. Consideration of draft decision A/C.6/56/L.5

5. At the 9th meeting, on 19 October, the representative of Sweden introduced a draft decision entitled "Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly" (A/C.6/56/L.5).

6. At its 10th meeting, on 29 October, the Committee adopted draft decision A/C.6/55/L.5 without a vote (see para. 7).

01-63776 (E) 211101

III. Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly

The General Assembly, on the recommendation of the Sixth Committee, decides to defer further consideration of and a decision on the request for observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly[1] to its fifty-seventh session.

[1] A/55/226.

United Nations A/56/595/Corr.1

General Assembly

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Fifty-sixth session
Agenda item 168

Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly

Report of the Sixth Committee

Rapporteur: Mr. Mahmoud Mohmed **Al-Naman** (Saudi Arabia)

Corrigendum

Paragraph 3 should read:

3. The Sixth Committee considered the item at its 9th and 10th meetings, on 19 and 26 October 2001 (A/C.6/56/SR.9 and 10).

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United Nations A/56/596

General Assembly

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Fifty-sixth session
Agenda item 170

Observer status for the International Development Law Institute in the General Assembly

Report of the Sixth Committee

Rapporteur: Mr. Mahmoud Mohmed **Al-Naman** (Saudi Arabia)

I. Introduction

1. The item entitled "Observer status for the International Development Law Institute in the General Assembly" was included in the provisional agenda of the fifty-sixth session of the General Assembly at the request of Austria.

2. At its 3rd meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 26th meeting, on 13 November 2001. The view of the representative who spoke during the Committee's consideration of the item is reflected in the relevant summary record (A/C.6/56/SR.26).

4. For its consideration of the item, the Committee had before it a letter dated 19 June 2001 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General (A/56/141).

II. Consideration of draft resolution A/C.6/56/L.16

5. At the 26th meeting, on 13 November, the representative of Austria, on behalf of Australia, Austria, Bulgaria, Burkina Faso, China, France, Italy, the Netherlands, the Philippines, Senegal, Tunisia and Turkey, subsequently joined by Botswana and Ecuador, introduced a draft resolution entitled "Observer status for the International Development Law Institute in the General Assembly" (A/C.6/56/L.16).

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6. At the same meeting, the Committee adopted draft resolution A/C.6/56/L.16 without a vote (see para. 7).

III. Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Observer status for the International Development Law Institute in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the International Development Law Institute,

1. *Decides* to invite the International Development Law Institute to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.